

Independent Executive Branch Ethics Commission

2017 Annual Summary Data Report to the Utah Legislative Management Committee



Independent Executive Branch Ethics Commission

Commission Chair: Lorie Fowlke

Executive Director: Justin J. Atwater

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Purpose of the Report

The Independent Executive Branch Ethics Commission was created legislatively in 2013 by SB 86; later codified in Utah Code Ann. Title 63A, Chapter 14. The Commission's duties include reviewing ethics complaints regarding the following executive branch elected officials: Governor, Lt. Governor, Attorney General, State Auditor and State Treasurer. If the Commission concludes by clear and convincing evidence that a complaint has merit, it shall make its findings public and forward them to the Legislature for further review.

The Commission is comprised of five volunteer members; two members who previously served as state elected officials or who held management positions in the state executive branch, one member who previously served as a judge or who is a licensed attorney and two citizen members.

This Annual Summary Data Report to the Utah Legislative Management Committee was prepared in accordance with Utah Code Annotated Section 63A-14-203(3). The foregoing statute requires the Independent Executive Branch Ethics Commission to prepare an annual summary data report of the Commission's activities, including the following:

1. A general description of the activities of the Commission during the past year;
2. Statistical information regarding ethics complaints filed with the Commission in the past year; and
3. An accounting of the Commission's budget and expenditures

Except for budgetary information, which is reported on a fiscal year basis, all information provided in this report is reported on a calendar year basis.

General Description of Activities

The 2017 Commission membership is as follows:

Lorie Fowlke, Chair
Lisa Michele Church, Vice Chair
Retired Judge Sandra Peuler
Pastor Corey Hodges
Professor Gary Doxey

Lorie Fowlke was elected by the Commission members as chair of the Commission for the 2017 Calendar Year.

Statistical Information for Ethical Complaints

The following table summarizes statistical information for ethical complaints filed with the Commission during calendar year 2017:

	2017 Complaints			
Number of Complaints Carried Forward from 2016	Number of Complaints Received in 2017	Number of Executives in Complaint(s)	Number of Reviews Completed	Number of Complaints Carried into 2018
1	1	1	1	1

In 2017, the Ethics Commission received and/or reviewed two (2) complaints (one carried forward from 2016 and one new complaint filed in 2017). One (1) complaint was reviewed and was not forwarded to the Legislature for review. The remaining complaint was not fully reviewed and was carried into calendar year 2018.

Accounting of Commission's Budget and Expenditures

The Commission's budget is funded annually by appropriation. For FY 2017, the legislative annual appropriation was \$3,000.00. The Commission had non-lapsing carry forward budget from previous years (from a one-time legislative contribution) in the amount of \$50,309.00, resulting in total available funds in the amount of \$53,309.00. Commission expenses for FY 2017 were \$17,324.97, leaving a balance of \$35,984.03. Pursuant to statute, the Commissioners volunteered or donated their time and expenditures were made up of per diem, staff compensation, and costs relating to Commission business.

*Disclaimer. Except in certain limited circumstances specified by statute, all complaints, papers and testimony received or maintained by the Commission, and the record of any confidential hearings conducted by the Commission, are confidential, and cannot be disclosed. The Commission is governed by Utah Code Ann. Title 63A, Chapter 14.